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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,699	08/22/2001	Satoru Okamoto	SEL 273	9139

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COOK, ALEX, MCFARRON, MANZO
CUMMINGS & MEHLER, LTD.
Suite 2850
200 West Adams St.
Chicago, IL 60606

EXAMINER

DUONG, THOI V

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/934,699	Applicant(s) OKAMOTO ET AL.	
	Examiner Thoi V. Duong	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11,16-19,21-27 and 34-51 ~~is/are~~ pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11,16-19,21-27 and 34-51 ~~is/are~~ rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0405</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 06, 2005 has been entered.

Accordingly, claims 1-11, 16-19, 24-27, 34 and 35 were amended, claims 12-15, 20 and 28-33 were cancelled. Currently, claims 1-11, 16-19, 21-27 and 34-51 are pending in this application.

It is noted that, claims 36-51, which were previously withdrawn as being directed to a non-elected invention, are now considered in this office action.

Response to Arguments

2. Applicant's arguments with respect to claims 1-11, 16-19, 24-27, 34 and 35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1, 2, 4-11, 21, 22, 34 and 35-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Priestman et al. (Priestman, USPN 6,812,954 B1) in view of Nakai et al. (Nakai, USPN 6,072,454).

Re claims 1, 2, 34-36 and 44, as shown in Fig. 4, Priestman discloses a portable electronic device (cellular phone) comprising:

a cover member 204 comprising a first liquid crystal display panel 226 for displaying an image (col. 8, lines 39-43); and

a second liquid crystal display panel 220 comprising a touch input operation (col. 8, lines 1-9 and lines 65-66),

wherein the cover member comprising the first display panel 226 and the second display panel 220 are attached to each other via a hinge mechanism 206 in a longitudinal direction so as to allow opening and closing,

wherein, re claims 4 and 5, the first display panel 226 comprises a touch input operation portion (col. 8, lines 65-66);

wherein, re claims 6, 7, 39 and 47, the second display panel 220 displays one of a character, a symbol, and buttons (col. 8, line 66 through col. 9, line 5);

wherein, re claims 8 and 9, the second display panel 220 comprises an image pickup device 222 (CCD video camera);

wherein, re claims 10 and 11, one of the first display device and the second display device comprises a system 222 for identifying a user (col. 8, lines 54-64);

wherein, re claims 21, 22, 40 and 48, the portable electronic device comprises audio portions 224, 228 as a communication function (col. 9, lines 18-30);

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wherein, re claims 41 and 49, a screen of the second display device 220 is switched to various input keys displayed on the display device since the display device can be used as a man machine interface (col. 8, line 66 through col. 9, line 5); and

wherein, re claims 43 and 51, the portable electronic device is a mobile telephone.

Priestman discloses a portable electronic device that is basically the same as that recited in claims 1, 2, 34-36 and 44 except that Priestman does not disclose that the second display device and the first display device are active matrix displays.

Nakai discloses that main liquid crystal display devices are of the active matrix type excelling in display performance (col. 2, lines 56-60). Nakai also shows in Fig. 4 a display device which is applicable to portable electronic equipment (col. 1, lines 13-20),

wherein, re claims 42 and 50, TFT 407 is formed a pixel portion or a driver circuit or a memory or a microprocessor on a substrate 401 (see also Fig. 1 and col. 15, lines 26-62).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify one of the first display device and the second display device of the portable electronic device of Priestman by employing an active matrix display of Nakai so as to obtain a liquid crystal device having high image quality and high reliability without consuming much power (col. 4, lines 1-5).

Re claims 37, 38, 45 and 46, Nakai discloses that the TFT may be formed of a semiconductor layer of polysilicon or a semiconductor layer of amorphous silicon is

used; and the TFT structure may be a top gate (staggered type) or an inverse staggered type (col. 17, lines 35-41).

5. Claims 3 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Priestman et al. (Priestman, USPN 6,812,954 B1) in view of Nakai et al. (Nakai, USPN 6,072,454) as applied to claims 1, 2, 4-11, 21, 22, 34 and 35-51 above and further in view of Mack II et al. (USPN 6,510,325 B1).

The portable electronic device of Priestman as modified in view of Nakai above includes all that is recited in claims 3 and 16-18 except for a third display device comprising an image pickup device and a system for identifying a user.

Re claim 3, as shown in Figs. 2D, 3A and 3B, Mack II et al. discloses a portable electronic device comprising:

- a first display panel 6 in front of an upper segment 9 (Fig. 3A);
- a second display panel 43 (touch pad) in a base segment 8; and
- a third display panel 20 provided between the first display device 6 and the second display device 43 (in back of the upper segment 9 in Fig. 3B),

wherein, re claims 16 and 17, the third display panel comprises an image pickup device 21 or a system for identifying a user 21 (col. 6, lines 49-52); and

wherein, re claim 18, the third display panel is a liquid crystal display device (col. 6, lines 34-52).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the device of Priestman with the teaching of Mack II et al. by forming a third display device comprising an image pickup device or

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a system for identifying a user so as to obtain a full function video phone (col. 6, lines 43-52).

6. Claims 19 and 23 are rejected under 35 U.S.C. 102(b) being unpatentable by Priestman et al. (Priestman, USPN 6,812,954 B1) in view of Yamazaki (USPN 6,037,635) and Washo (USPN 4,580,877).

Re claim 19, as shown in Fig. 4, Priestman discloses a portable electronic device (cellular phone) comprising:

a cover member 204 comprising a first liquid crystal display panel 226 for displaying an image (col. 8, lines 39-43); and

a second liquid crystal display panel 220 comprising a touch input operation (col. 8, lines 1-9 and lines 65-66),

wherein the cover member comprising the first display panel 226 and the second display panel 220 are attached to each other via a hinge mechanism 206 so as to allow opening and closing; and

wherein, re claim 23, the portable electronic device comprises a communication function 224, 228.

Priestman discloses a portable electronic device that is basically the same as that recited in claim 19 except for a first liquid crystal display panel being an active matrix EL display panel for displaying an image and a second liquid crystal display panel being a reflection display panel, wherein the reflection display is made to display by irradiating light emitted from the active matrix EL display device.

At first, as shown in Figs. 4A-4F, Yamazaki discloses a portable electronic device comprising a liquid crystal display device, wherein the liquid crystal display device may be a reflection display type or an active matrix type EL display (col. 6, lines 51-59).

Further, as shown in Fig. 1, Washo discloses a combination of a liquid crystal display (LCD) panel A and an electroluminescent display (EL) panel B, wherein the EL panel is utilized even in the absence of incident light upon the LCD panel (col. 1, lines 28-31).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the portable electronic device of Priestman with the teaching of Yamazaki and Washo by having a first liquid crystal display panel being an active matrix EL display panel for displaying an image and a second liquid crystal display panel being a reflection display panel, wherein the reflection display is made to display by irradiating light emitted from the active matrix EL display device so as to obtain uniform illumination in the absence of incident light upon the LCD panel (col. 1, lines 15-17 and 28-31).

7. Claims 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Priestman et al. (Priestman, USPN 6,812,954 B1) in view of Yamazaki (USPN 6,037,635).

Re claim 24, as shown in Fig. 4, Priestman discloses a portable electronic device comprising:

- a first liquid crystal display panel 226; and
- a second liquid crystal panel 220,

wherein the first liquid crystal display panel 226 and the second liquid crystal display panel are attached to each other so as to allow opening and closing,

wherein, re claim 25, the second liquid crystal display panel 220 comprises a touch input operational portion (col. 8, lines 65-66);

wherein, re claim 26, the second liquid crystal display panel display an image (col. 8, lines 1-9); and

wherein, re claim 27, the second liquid crystal display panel comprises an image pickup device 222.

However, Priestman does not disclose that the second liquid crystal display panel of is an active matrix EL display panel.

As shown in Fig. 4D, Yamazaki discloses a portable telephone comprising a liquid crystal display device 2304, wherein the display device may be a flat panel such as an active matrix EL display (col. 6, lines 58-59).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the portable electronic device of Priestman with by employing the active matrix EL display of Yamazaki so as to obtain a device having a manufacturing process simplified (col. 5, lines 27-28).

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (571) 272-2292. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (571) 272-2293



DUNG T. NGUYEN
PRIMARY EXAMINER

Thoi Duong 

05/30/2005